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Applicant(s): Danan Dou, et al.

Docket No.
DP-300744Serial No.
09/758,948Filing Date
January 11, 2001Examiner
A. KuharGroup Art Unit
1754Invention: METHODS TO REDUCE ALKALI MATERIAL MIGRATION FROM NO_x ADSORBER WASHCOAT TO CORDIERITEI hereby certify that this Response to Restriction Requirement (2 pages)
(Identify type of correspondence)is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. (703) 872-9310)on May 29, 2003
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MAY 30 2003

GROUP 1700

DP-300744

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: DANAN DOU, ET AL.)
SERIAL NO.: 09/758,948) Group Art Unit:
FILED: JANUARY 11, 2001) 1754
FOR: METHODS TO REDUCE ALKALI) Before the Examiner:
MATERIAL MIGRATION FROM NOx) A. Kuhar
ADSORBER WASHCOAT TO)
CORDIERITE)

HF(3)48
6/3/3

Via Facsimile: (703) 872-9310
Commissioner for Patents
Alexandria, VA 22313

RESPONSE TO RESTRICTION REQUIREMENT
PURSUANT TO 35 U.S.C. §121

Sir:

This is in response to the Restriction Requirement dated May 1, 2003. The Examiner contends that the above-identified application comprises patentably distinct species: the exhaust gas catalyst system comprising a porous support, where the porous support comprises alumina, gamma alumina, delta alumina, theta alumina, zeolite, zirconia, ceria, magnesium oxide, titania, silica, or mixtures comprising at least one of the foregoing. The Examiner further contends that Claims 2, 18, and 30. Pursuant to 35 U.S.C. §121 the Examiner requires election of a single species for prosecution on the merits.

The Examiner also contends that the above-identified application comprises patentably distinct species: the exhaust gas catalyst system comprising an alkali metal barrier, where the alkali metal barrier comprises zirconia, titania, ferric oxide, cordierite, alpha alumina, mullite, tin oxide, ceria, manganese oxide, silica, vanadium oxide, chromium oxide, hafnium oxide, molybdenum oxide, tungsten oxide, and mixtures comprising at least one of the foregoing. The

Examiner further contends that Claims 6, 23, and 35, and, pursuant to 35 U.S.C. §121, requires election of a single species for prosecution on the merits.

Applicants first note that Claims 17 – 33 were cancelled, without prejudice, in the response filed March 11, 2003 as directed to non-elected invention. As a result, Applicants will not discuss those claims since such discussion is moot. With respect to the remaining claims, if Claims 2 and 6 are generic, Claim 1 is, by definition, also generic as the independent claim from which Claims 2 and 6 ultimately depend. Similarly, Claim 5 is generic since generic Claim 6 depends from Claim 5. Applicants further contend that Claims 3, 4, and 7 – 16 are generic.

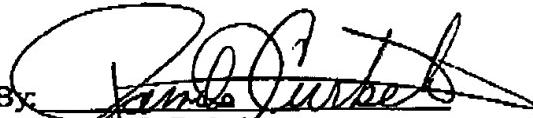
The Examiner is requiring restriction within two Markush groups set forth in Claims 2 and 6. Applicants contend that such restriction is not proper under MPEP 803.02, and since the Markush group are sufficiently few in number and examination of the entire claim can be made without serious burden on the Examiner.

However, to fully comply with the restriction, Applicants provisionally elect alumina as the porous support and cordierite as the alkali metal barrier. This election is being made without prejudice to Applicants' rights with respect to the remaining species, including the right to file divisional applications thereon.

If there are any charges with respect to this Restriction Requirement, or otherwise, please charge them to Deposit Account No. 50-0831 maintained by Assignee.

Respectfully submitted,

CANTOR COLBURN LLP

By: 
Pamela J. Curbelo
Registration No. 34,676

Date: May 29, 2003
Telephone: (860) 286-2929
Address: Cantor Colburn LLP
55 Griffin Road South
Bloomfield, CT 06002